

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 RICARDO GARCIA-BUENO,

7 Defendant.

Case No. 2:22-cr-276-JAD-NJK

FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER

9  
10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
12 Court finds that:

13 1. Defense counsel needs additional time to gather mitigation for Mr. Garcia-  
14 Bueno.

15 2. The defendant is not in custody and does not object to the continuance.

16 3. The parties agree to the continuance.

17 4. The additional time requested herein is not sought for purposes of delay, but  
18 merely to allow counsel for defendant sufficient time within which to be able to effectively and  
19 complete investigation of the discovery materials provided.

20 5. Additionally, denial of this request for continuance could result in a miscarriage  
21 of justice. The additional time requested by this Stipulation is excludable in computing the time  
22 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United  
23 States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code,  
24 Section 3161(h)(7)(B)(i), (iv).

**CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), (iv).

**ORDER**

IT IS HEREBY ORDERED that the sentencing date currently scheduled on November 12, 2024, at the hour of 1:30 p.m., be vacated and continued to January 6, 2025 at the hour of 11:00 a.m.

DATED: October 25, 2024.

  
UNITED STATES DISTRICT JUDGE